



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-3503 FAX (603) 271-5171



June 17, 2003

LETTER OF DEFICIENCY# WSEB 03-043
Certified Mail# 7099 3400 0003 0691 1291

Raymond Stankunas
Emerald Lake Village District
ELVD Board of Commissioners
103 Gould Pond Road
Hillsborough, NH 03244

Subject: Hillsborough - Public Water System: Emerald Lake (EPA# 1141020)

Dear Mr. Stankunas:

The records of the Department of Environmental Services (DES) show that the Emerald Lake water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system supplying 15 or more service connections or 25 or more people for 60 or more days a year. NH Administrative Rule Env-Ws 326 requires a PWS owner to submit chemical samples to the State Laboratory or a State-certified laboratory according to the system's established master sampling schedule.

DES records show that the PWS's source #004 (Gould Pond Road) has **exceeded the maximum contaminant level (MCL) for fluoride of 4.0 mg/L**, as defined in Env-Ws 316.01. The current fluoride average for source #004 is 4.75 mg/L, and as a result, a violation has occurred for the following compliance period:

Second Quarter (Q2) of 2003

DES believes the MCL violation can be corrected and future violations prevented by taking the following actions:

1. **Immediately** begin providing appropriate alternate (*i.e.* bottled) water at areas accessible to consumers until the violation is corrected. If bottled water is used, the source must be an approved source, monitored in accordance with Env-Ws 389; and
2. **By July 16, 2003**, send written confirmation to DES that alternate water is being provided to consumers; and
3. **By July 16, 2003**, provide public notice to all consumers following the guidelines in the enclosed public notice handout. Provide proof of public notice to this office within 10 days of issuing the public notice. Continue providing public notice **each calendar quarter** for as long as the exceedence occurs; and
4. **By July 16, 2003**, retain the services of a qualified consultant to address the water quality violation and notify DES, in writing, of the name of the consultant hired. The consultant should review all existing water quality data prior to making recommendations for correcting the MCL violation; and

5. **By August 16, 2003**, submit to DES for approval the consultant's report, which shall contain the consultant's recommendations, along with an implementation schedule to correct the MCL violation. The report must also include a maintenance schedule for any proposed treatment process/equipment. DES must approve the consultant's report/recommendations, the maintenance schedule, and the proposed implementation schedule prior to any work being done on the system; and
6. By the DES-approved correction date, correct the violation or install treatment as approved by DES. Notify DES in writing of the correction(s) taken; and
7. Continue to sample in accordance with your Master Sampling Schedule.

DES records also show that the Emerald Lake water system was issued Letter of Deficiency (LOD) #WSEB 02-102 on August 15, 2002, (copy enclosed.) The LOD was issued because an unapproved well ("Mary Rowe" well) was found to be on-line and operational, in violation of RSA 485:8, II. The LOD requested a final well siting report that met the requirements of Env-Ws 378 be submitted to DES for review and approval by November 15, 2002. On November 11, 2002, the system submitted a final well siting report. DES reviewed the submitted report and in a letter to the system dated December 5, 2002, noted that the pumping test and the results of a water quality test did not conform to regulations. The December 5, 2002, letter requested that another pumping test be performed and another water quality sample be collected within 90 days of the date of the letter. A copy of the December 5, 2002, letter is enclosed. To date DES has not received the results of the requested pumping test or water quality sample.

DES believes this violation can be corrected by taking the following action:

- 1 **By July 16, 2003**, perform a pumping test of the "Mary Rowe" well and collect a water quality sample in conformance with the requirements of Env-Ws 378.10.

In the event compliance is not achieved within these time periods, DES may take further enforcement action, including issuing an order requiring the deficiencies to be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

The written report as requested above should be addressed as follows:

Alan Leach
Department of Environmental Services
Water Supply Engineering Bureau
6 Hazen Drive, PO Box 95
Concord, NH 03302-0095

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Emerald Lake Village District

June 17, 2003

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Please contact Alan Leach by phone at (603) 271-2854 or email at aleach@des.state.nh.us should you have any questions about the requirements listed in this letter.

Sincerely,

 **COPY** for

Anthony P. Giunta, P.G., Administrator
Water Supply Engineering Bureau

Enc. Public Notice Template: Fluoride MCL Violation
 Fluoride Fact Sheet
 Copy of Letter of Deficiency # WSEB 02-102
 Copy of DES letter dated December 5, 2002

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cc: Gretchen Rule, DES Legal Unit (w/o enc.)
 Diana Morgan, DES WSEB (w/o enc.)
 James Coffey, Town of Hillsborough Health Officer (w/o enc.)
 Dave Gordon, DHHS Health Risk Assessment Bureau (w/o enc.)
 Joseph Damour, Primary Operator
 US EPA, Region 1 (w/o enc.)